

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ZAREADAE V. ROBERTSON, as the)	
next Best friend of CATHERINE)	
ROBERTSON, a minor, and)	
DEMARCUS JACKSON, a minor,)	Civil Action File No.
)	1:14-cv-00214-AT
Plaintiffs,)	
)	
v.)	
)	
UNITED STATES OF AMERICA;)	
CHARLES MATUZA, PA; TENET)	
HEALTHSYSTEM, GB, INC., d/b/a)	
ATLANTA MEDICAL CENTER;)	
and PEDIATRIX MEDICAL GROUP)	
OF GEORGIA, P.C.; JOHN DOES NOs)	
1-5; and XYZ CORPORATIONS NOs)	
1-5;)	
Defendants.		

STIPULATION OF VOLUNTARY DISMISSAL OF DEFENDANT
U.S.A. WITHOUT PREJUDICE, AND
MOTION TO REMAND BACK TO STATE COURT

COME NOW PLAINTIFF Plaintiffs Zareadae V. Robertson, as the next best friend of Catherine Robertson, a minor, and Demarcus Jackson, a minor, through counsel of record, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and Local Rule 41.1, the parties file the instant Stipulation of Voluntary Dismissal

Without Prejudice of the above-captioned civil action with regard to the entities and doctors represented by the United States of America. Each party shall bear its own fees and costs with regard to the aforementioned Defendants.

This stipulation is *not* intended to and in no way impacts Plaintiffs' Complaint against DEFENDANTS TENET HEALTHSYSTEIM, GB, INC., d/b/a ATLANTA MEDICAL CENTER, PEDIATRIX MEDICAL GROUP OF GEORGIA, P.C. and CHARLES MATUZA, P.A., and those claims should be properly remanded back to Fulton State Court.

Respectfully submitted this 24th day of February, 2014.

Attorneys for Plaintiffs

/s/ Edward D. Flynn, III

Edward D. Flynn, III
Georgia Bar No. 266536
FLYNN & GOTTLIEB, P.A.
800 Johnson Ferry Road
Atlanta, Georgia 30342
Telephone: (404) 497-8015
Facsimile: (404) 497-8019
nedf@lawfg.com

/s/ Jay Lukowski

Jay D. Lukowski
Georgia Bar No. 460799

Ronald I. Kaplan
Georgia Bar No. 407307
KAPLAN & LUKOWSKI, LLP
333 Sandy Springs Circle,
Suite 200
Atlanta, GA 30328
Telephone: (404) 845-0012
Facsimile: (404) 845-0028
jdl@kaplanlegal.com
rik@kaplanlegal.com

Attorneys for Defendant USA

/s/ Darcy F. Coty
Darcy F. Coty
Georgia Bar No. 259280
UNITED STATES ATTORNEY'S OFFICE
Richard B. Russell Building
75 Spring Street, S.W., Suite 600
Atlanta, Georgia 30303
Telephone: (404) 581-6043
Facsimile: (404) 581-6181
darcy.coty@usdoj.gov

***Attorneys for Charles Matuza, P.A. and Pediatrix Medical
Group of Georgia, PC***

/s/ T. Andrew Graham
John E. Hall, Jr.
Georgia Bar No. 319090
T. Andrew Graham
Georgia Bar No. 304777
Hall Booth Smith, PC

191 Peachtree Street NE, Suite 2900
Atlanta, GA 30303-1775
Telephone: (404) 954-5017
Facsimile: (404) 954-5020
AGraham@hallboothsmith.com

Attorneys for Tenet HealthSystem GB, Inc. d/b/a Atlanta Medical Center

/s/ Moses Kim
Kevin Race
Georgia Bar No. 591590
Moses Kim
Georgia Bar No. 335581
Insley & Race, LLC
The Mayfair Royal
181 14th Street, N.E., Suite 200
Atlanta, GA 30309
Telephone: (404) 876-9818
Facsimile: (404) 876-9817
mkim@insleyrace.com

CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1(D), I hereby certify that the foregoing has been prepared in compliance with Local Rule 5.1(B) in 14 point Times New Roman type face.

This 24th day of February, 2014.

/s/ Edward D. Flynn, III

Edward D. Flynn, III

Georgia Bar No. 266536

FLYNN & GOTTLIEB, P.A.

800 Johnson Ferry Road

Atlanta, Georgia 30342

Telephone: (404) 497-8015

Facsimile: (404) 497-8019

nedf@lawfg.com

CERTIFICATE OF SERVICE

This is to certify that on February 24th, 2014, I electronically filed the **STIPULATION OF VOLUNTARY DISMISSAL OF DEFENDANT U.S.A. WITHOUT PREJUDICE, AND MOTION TO REMAND BACK TO STATE COURT** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

Counsel for The United States of America

Darcy F. Coty
UNITED STATES ATTORNEY'S OFFICE
Richard B. Russell Building
75 Spring Street, S.W., Suite 600
Atlanta, Georgia 30303

**Counsel for Tenet HealthSystem GB, Inc. d/b/a
Atlanta Medical Center**

Insley & Race, LLC
Kevin Race
Moses Kim
The Mayfair Royal
181 14th Street, N.E., Suite 200
Atlanta, GA 30309

**Counsel for Charles Matuza, P.A. and Pediatrix
Medical Group of Georgia, PC**

Hall Booth Smith, PC
John E. Hall, Jr.
T. Andrew Graham
191 Peachtree Street NE, Suite 2900
Atlanta, GA 30303-1775

This 24th day of February, 2014.

/s/ Edward D. Flynn, III
Edward D. Flynn, III
Georgia Bar No. 266536
FLYNN & GOTTLIEB, P.A.
800 Johnson Ferry Road
Atlanta, Georgia 30342
Telephone: (404) 497-8015
nedf@lawfg.com

Attorney for Plaintiffs